

Serial No. 10/713,548  
Attorney Docket No. 95121961.201201

### **REMARKS/ARGUMENTS**

The Applicants respectfully request reconsideration of the present Application in view of the foregoing amendments and the following remarks/arguments. Claims 1-52 were originally filed with the present Application. The Examiner has indicated that claims 38-46 and 50-52 are allowed, and that claims 21-37 and 47-49 would be allowable if the §112, second paragraph, rejection of these claims is overcome. Also, the Examiner has indicated that dependent claims 5-8, 12, 14-16, 25-28 and 32 would also be allowable if the §112, second paragraph, rejection of these claims is also overcome, and the claims amended to include all of the limitations of their base claim and any intervening claims. Claims 1-4, 8, 10, 12, 17, 19 and 20 stand rejected under 35 U.S.C. §102. In the present Amendment, the Applicants have amended claims 1, 5-8, 12, 17, 21, 25-28, 32, 47 and 48. No claims have been canceled or added. Accordingly, claims 1-52 remain pending in the present Application. No new matter has been added.

#### **I. OBJECTIONS**

The pending Office Action states that one of the foreign references, WO 02/37175, was not included in the prior submitted Information Disclosure Statement. The Applicants are submitting a copy of this reference with the present Amendment, and apologize for the inadvertent omission.

The Examiner has objected to the specification for failing to provide proper antecedent basis for the terms "substantially green," "substantially non-green" and "non-green" recited in claims 1, 5-8, 12, 17, 21, 25-28 and 32. As discussed in more detail below, the Applicants have amended these claims to remove the term "substantially." Moreover, support for green and non-

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green light portions is ample throughout the specification, as filed. For example, paragraph [0007] states:

“[0007] Unlike prior three-panel/three-PBS architectures, which “notch” out the green spectrum from between the red and blue spectrums for individual manipulation by a PBS/display panel couplet, *see, e.g.* U.S. Patent Application No. 2002/0001135, certain of the present architectures separate either blue or red first, leaving colors from adjacent wavelength bands to be manipulated between two panels by a single PBS.”

As the pending independent claims are expressly directed to color management of red, green and blue primary colors, this exemplary paragraph provides a clear example of a “green primary color”, as well as “non-green primary colors” such as red and blue. Clearly, there can be no confusion that red and blue are non-green primary colors. Another of many such examples may be found in paragraph [0029]:

“[0029] A red/cyan filter 1112 processes the reflected yellow spectrum. The red/cyan filter 1112 transforms the polarization state of red light while substantially maintaining that of cyan. A reflective panel 1128 modulates the red spectrum and a reflective panel 1126 modulates the green (and any blue) spectrum. A magenta/green filter 1114 transforms the polarization of red and green spectra at the output of the polarizing beam splitting element 1106, rotating the red (and any blue) light and leaving substantially unaffected the green light.”

This paragraph of the specification also expressly mentions the management of “a green primary color,” as well as “non-green primary colors” like red and blue. Other specific examples may be found in the specification at paragraphs [0031] to [0034]. As a result, the Applicants respectfully

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assert that use of the terms "green" and "non-green" primary colors is amply supported throughout the specification, and therefore respectfully request that the Examiner withdraw the objection.

## II. REJECTIONS UNDER 35 U.S.C. §112

The Examiner has rejected claims 1-37 and 47-49 under 35 U.S.C. §112, second paragraph, as allegedly failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Specifically, the Examiner has rejected claims all on similar grounds, namely, that these claims recite or are dependent from a claim that recites one or more of the phrases "substantially green," "substantially non-green" or "non-green,"

First, regarding claims 1-37, the Applicants have amended the appropriate claims to remove specific recitations of the term "substantially." Thus, only the terms "green" and "non-green" are now recited in the claims. While the Applicants do not necessarily agree that use of the term "substantially" renders these claims indefinite, the Applicants have chosen to remove this term from these claims since its inclusion is not necessary in light of the scope given to the claims by the specification. With respect to the term "non-green" recited in some of these claims, the Applicants respectfully assert that the inclusion of this term also does not render these claims indefinite. As is clear from the specification (such as the examples set forth above), as well as the preambles of the independent claims, other specific non-green primary colors (e.g., red and blue) are explicitly described.

With regard to claims 47-49, the Applicants have amended claims 47 and 48 to correct their dependency from claim 37 to allowed independent claim 38, as originally intended. Their original dependency from claim 37 was an inadvertent error, and in view of these amendments the Applicants respectfully request that the Examiner withdraw the §112, second paragraph,

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rejection of claims 47-49. Thus, the Applicants believe the above-mentioned amendments and accompanying discussion overcome the pending rejection of these claims under §112, second paragraph. Accordingly, the Applicants respectfully request that the Examiner withdraw the rejection of these claims. Moreover, since claims 21-37 and 47-49 have been indicated as reciting allowable subject matter (along with allowed claims 38-46), and because the above amendments and discussion also overcome the §112, second paragraph, rejections of these claims, the Applicants respectfully request that the Examiner withdraw the rejection of these claims as well.

### III. REJECTIONS UNDER 35 U.S.C. §102

The Examiner has rejected claims 1-4, 8, 10, 12, 17, 19 and 20 under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 6,384,972 to Chuang. In addition to the amendments to independent claims 1 and 17 mentioned above, these claims have also been amended to recite materially different subject matter than previously recited in these claims. These amendments have therefore rendered the present §102 rejections of claims 1-4, 8, 10, 12, 17, 19 and 20 moot. Specifically, the amendments have added claimed elements directed towards the paths traveled by the first, second, third and fourth portions of light, as well as the specific structural locations of several of the various beam splitting elements and several of the reflective panels with respect to other components. Thus, the Applicants respectfully assert that newly amended independent claims 1 and 17, and the claims dependent thereon, are patentably distinct over the prior art of record, and accordingly request that the Examiner withdraw the §102 rejection of these claims.

### IV. CONCLUSION

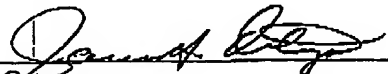
The Applicants respectfully submit that pending claims 1-52 are in condition for

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allowance, and request a Notice of Allowability for the pending claims. The Examiner is invited to contact the undersigned Attorney of Record if such would expedite the prosecution of the present Application. Although no fees are believed to be due with this Amendment, if it is determined that additional fees are due, or an overcharge has occurred, please charge or credit Deposit Account No. 13-0480, referencing the Attorney Docket Number specified herein.

Respectfully submitted,

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